

something, and we just kind of go into a rigor and a catatonic state. Then we usually meet, he looking this way, and me looking this way. And I have found in life a very interesting thing; that oftentimes I see something in someone else that might irritate me. And it is most always something I do myself, that I do not handle very well in my own daily doings. With John McCain of Arizona, I will just say it takes one to know one. And we do. I commend my friend, and he is going to get a nice vote here. And he is going to be tickled to death. There you are.

Thank you, Madam President.

Mr. McCain. Madam President, I thank my friend from Wyoming. He adds to this body in more ways than I am able to describe, especially not the least of which was his brief recitation of his history of his various forms of employment.

I yield the floor, Madam President.

Mr. LEVIN. Mr. President, I support raising the Social Security earnings limit to allow Social Security beneficiaries now subject to the limit to earn more income. However, I cannot support the motion to waive the budget point of order on the legislation before the Senate today. Raising the earnings limit will draw increased payments out of the Social Security trust fund. Any measure to raise the earnings limit must pay for that change. The legislation before us does not adequately assure that this will be paid for in a manner which will not increase the Federal deficit or in a manner which avoids further cuts in critical education and health programs, including programs for seniors. I am hopeful that a better manner of paying for this change will be designed and that we will raise the Social Security earnings limit. This one falls short.

The PRESIDING OFFICER. The question is on the motion by the Senator from Arizona to waive the point of order. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD], the Senator from Indiana [Mr. LUGAR], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

I further announce that if present and voting, the Senator from South Carolina [Mr. THURMOND], would vote "yea."

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 53, nays 42, as follows:

[Rollcall Vote No. 562 Leg.]

YEAS—53

Abraham	Baucus	Biden
Ashcroft	Bennett	Brown

Bryan	Harkin	Murkowski
Burns	Hatch	Nickles
Coats	Heflin	Pressler
Coverdell	Helms	Reid
Craig	Hollings	Roth
D'Amato	Hutchison	Santorum
DeWine	Inhofe	Shelby
Dole	Jeffords	Simon
Faircloth	Kempthorne	Smith
Ford	Kerry	Snowe
Frist	Kyl	Specter
Graham	Lott	Stevens
Gramm	Mack	Thomas
Grams	McCain	Thompson
Grassley	McConnell	Warner
Gregg	Moseley-Braun	

NAYS—42

Akaka	Domenici	Leahy
Bingaman	Dorgan	Levin
Bond	Exon	Lieberman
Boxer	Feingold	Mikulski
Breaux	Feinstein	Moynihan
Bumpers	Glenn	Murray
Byrd	Gorton	Nunn
Campbell	Inouye	Pell
Chafee	Johnston	Pryor
Cochran	Kassebaum	Robb
Cohen	Kennedy	Rockefeller
Conrad	Kerrey	Sarbanes
Daschle	Kohl	Simpson
Dodd	Lautenberg	Wellstone

NOT VOTING—4

Bradley	Lugar
Hatfield	Thurmond

The PRESIDING OFFICER (Mr. SANTORUM). On this vote, the yeas are 53, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is well taken, and the bill is committed to the Finance Committee.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Mr. President, the Senate has spoken at this time. I want the Senate to know that this is an important issue for seniors of America. They are tired of this onerous, unfair, and outrageous tax.

I am sorry my friends across the aisle did not vote for it. They are going to have a chance to vote for it next week, the week after and the week after, and seniors will let their views be known, and others across America, as to how outrageous this vote was. I hope they understand that I am not going to quit on this issue until it is done, because the seniors of America deserve it.

I yield the floor.

(At the request of Mr. DOLE, the following statement was ordered to be printed in the RECORD.)

#### POSITION ON VOTE

• Mr. THURMOND. Mr. President, I was necessarily absent from the Senate today, Thursday, November 2, 1995. During my service in the Senate, I have always taken my duty to represent the people of South Carolina seriously and have been absent from Senate business only when necessary.

With regard to the vote on the motion to waive the Budget Act on S. 1372, the Senior Citizens Freedom to Work Act, I am a strong supporter of increasing the earnings test and would have voted in favor of waiving the Budget Act.●

Mr. ROCKEFELLER. Mr. President, I understand and appreciate the concerns of senior citizens about the Social Security earnings limit.

In the past, I have supported increasing the earnings limit for seniors who need to work, but it must be paid for responsibly. Today's proposal raised some questions for me. I was troubled by the effort to further cut domestic discretionary programs.

While cutting domestic discretionary programs sounds simple, cuts of \$9 billion could hurt West Virginia families and even seniors. Many of these programs that would be reduced under this proposal have already been cut severely. Plus the list includes fundamental programs for seniors themselves, like senior nutrition programs and the Low-Income Energy Assistance Program which helps seniors in West Virginia and other northern regions keep the heat on during the winter months. Cutting these programs could easily hurt the seniors that we say we intend to help by raising the earnings limit.

Also, as Senator SIMPSON mentioned in his remarks, it is also difficult to determine what the effect might be of changing interest payments to the Social Security trust fund. Senator McCain acknowledged that this aspect of his legislation has not been fully studied, nor was it the focus during previous hearings on the overall issue. When it comes to the long-term solvency of the Social Security trust funds, I firmly believe we must be thoughtful and cautious. Seniors depend upon Social Security, and I want to ensure that they can continue to do so for generations.

I voted for the point of order against Senator McCain's legislation because I believe that we must be cautious, consistent, and careful whenever we deal with the Social Security trust fund. Each and every aspect of this proposal should be fully considered by the Senate Finance Committee. We should not rush to judgment. We should not bend the budget rules when it comes to Social Security.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, let me first say I hope the Senator from Arizona will not be discouraged.

I know a few votes would have made a difference, and I think if we can find another way to pay for it, that will pick up additional votes, at least on this side, perhaps on the other side.

I want to make one announcement and a statement.

#### PARTIAL-BIRTH ABORTIONS

Mr. DOLE. Mr. President, I wish to commend the House of Representatives, which yesterday passed a ban on